

**AMENDMENTS TO THE DRAWINGS**

Please replace Figure 1 with the attached, replacement figure.

Attachment: One (1) Replacement Sheet

**REMARKS**

Claims 1, 2, 4-8, 11-13, 15-20, and 23-26 are all the claims currently pending in this Application.

**Claim Amendments**

With this Amendment, claims 1, 2, 4-8, 11, 12, and 23 are amended. Independent claims 1, 11, 12, and 23 are amended to clearly recite features of the present invention as disclosed by the originally-filed specification. Claims 2 and 4-8 are amended in accordance with the amendments to the claims from which they depend.

Entry of these amendments is respectfully requested

**Figure 1**

With this Amendment, Applicant amends Figure 1 to include a “PRIOR ART” label.

Reconsideration and withdrawal of the objection is respectfully requested.

**Sayers**

Claims 1, 2, 5, 6, 8, 11-13, 16, 17, 19, 20, and 23-26 are rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Sayers (U.S. Patent 6,539,237). Claims 4, 7, 15, and 18 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Sayers. Applicant respectfully traverses these rejections because Sayers fails to teach or suggest each of the limitations recited at least in independent claims 1, 11, 12, and 23.

Sayers is generally directed to a GSM system in which a Base Station Subsystem (BSS) 11 is composed of at least one Base Station Controller (BSC) 16, and Base Transceiver Stations (BTSS) 12 (Figure 1, col. 3, lines 12-21).

As shown in Figure 1 of Sayers, a communication system includes a Network Subsystem NSS 6 including a mobile services switching center MSC 17. A Base Station Subsystem BSS 5

is connected to the NSS and includes at least one Base Station Controller BSC 16 and a number of Base Transceiver Stations BTSs 12, which are in radio communication with mobile stations 4.

NSS 6 and MSC 17. The NSS includes the MSC 17 which “provides the functions required to switch calls to/from the mobile stations 4 and the fixed public networks 8 (including PSTN and ISDN)” (Sayers, col. 9, lines 11-15). Thus, the NSS of the GSM system of Sayers is comparable to the Core Network (CN) of a UTRAN system as described in the present specification (*see e.g.* specification, page 1, Figure 1).

BSS 5, BSC 16, and BTSs 12. The BSS 5 includes BSC 16 and BTSs 12 and is connected to the NSS (Sayers, col. 8, lines 37-44). BTSs 12 define radio cell boundaries and handle radio interfaces with the mobile stations (col. 8, lines 40-44). The BSC 16 manages the radio resources of one or more BTSs and “controls the radio network, including allocation of radio time slots to mobile stations 4, release of resources, interpretation of measurement results and control of radio interface handovers” (col. 9, lines 4-10)

Thus, the BSS 5, BSC 16, and BTSs 12 of the GSM system of Sayers are comparable to the RAN, RNCs, and Node Bs of a UTRAN system as described in the present specification (*see e.g.* specification page 1, line 15 to page 2, line 8).

Sayers fails to teach or suggest each of the limitations of independent claim 1. Claim 1, as amended, recites “A method of controlling a radio network controller of a radio access network, wherein the radio network controller comprises a plurality of control plane controllers and a plurality of user plane controllers, the method comprising: ... effecting transfer of status information between a user plane controller and a control plane controller other than the control plane controller to which the user plane controller is logically subordinate notwithstanding that the user plane controller is logically subordinate to another of said control plane controllers.”

In other words, a radio access network includes a radio network controller which comprises control plane controllers and user plane controllers. As clearly described in the specification, a C-plane controller is a physical integration of a function of controlling a C-plane which is a protocol for transferring control signals; and a U-plane controller is a physical integration of a function of controlling a U-plane which is a protocol for transferring user data related to user equipment (*see e.g.* page 2, lines 5-9). The user plane controller is logically subordinate to only one of the c-plane controllers. However, the method comprises effecting a transfer of information between a user plane controller and a control plane controller *other than* the control plane controller to which the user plane controller is subordinate.

Regarding the claimed control plane controller and user plane controller, the Examiner alleges that these features are taught by the NSS and the BSS, respectively, of Sayers.

Applicant respectfully submits that the Examiner is mistaken. As described above, the NSS and BSS of Sayers are comparable to the CN and the RAN described in the present specification, respectively. The NSS is not comprised in a radio network controller of a radio access network, and does not control any C-plane or control signals. The BSS is not comprised in a radio network controller of a radio access network. Indeed, the BSS *is* a radio access network. And, the BSS does not *control* user data related to user equipment.

Therefore, Applicant submits that the NSS does not teach or suggest the claimed control plane controller and the BSS does not teach or suggest the claimed user plane controller. Further, Applicants submit that as Sayers is directed to GSM system, no portion of Sayers teaches or suggests the claimed limitations relating to the claimed control plane controller and user plane controller.

Therefore, Applicant respectfully submits that independent claim 1 is patentable over Sayers. Independent claims 11, 12, and 23 recite analogous limitations and are patentable for analogous reasons. Claims 2, 4-8, 13, 15-20, and 24-26 are patentable at least by virtue of their dependencies. Applicant respectfully requests that the prior art rejections be reconsidered and withdrawn.

**Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

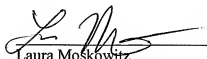
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